

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JAMES GRZESLO,

Plaintiff,

v.

RAYTHEL FISHER, JR. et al.,

Defendants.

Case No. 1:21-cv-01371-EPG (PC)

ORDER *SUA SPONTE* EXTENDING  
TIME TO FILE OBJECTIONS TO  
OCTOBER 6, 2021 FINDINGS AND  
RECOMMENDATIONS

(ECF Nos. 9, 14)

Plaintiff James Grzeslo is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983 and the Americans with Disabilities Act, 42 U.S.C. § 12101 *et seq.* (ECF Nos. 1, 5). Plaintiff filed his complaint on September 14, 2021, which this Court screened on October 18, 2021, giving Plaintiff thirty days, or until November 17, 2021, to amend his complaint or notify the Court that he wished to stand on his initial complaint. (ECF No. 10). Plaintiff filed a motion for preliminary injunction and motion for a temporary restraining order on October 4, 2021, which this Court recommended be denied in its October 6, 2021, findings and recommendations, giving Plaintiff fourteen days to file objections. (ECF No. 9). On October 19, 2021, the Court extended the deadline, at Plaintiff's request, to November 2, 2021, for Plaintiff to file any objections. (ECF Nos. 11, 12).

Now before the Court is Plaintiff's response to the Court's October 19, 2021, order granting Plaintiff an extension of time to file objections to the Court's findings and recommendations to deny Plaintiff's motion for preliminary injunction and motion for a

1 temporary restraining order. (ECF No. 12, *see* ECF No. 9). Plaintiff states that pursuant to the  
2 October 19, 2021 order, he is withdrawing his motion for extension of time to file objections.  
3 (ECF No. 14, *see* ECF No. 11). Plaintiff states that he plans, pursuant to the October 18, 2021,  
4 screening order to file a first amended complaint on or before November 17, 2021.

5 Accordingly, IT IS ORDERED that Plaintiff shall have until November 17, 2021, to file  
6 and serve any objections to the October 6, 2021, findings and recommendations to deny  
7 Plaintiff's motion for preliminary injunction and motion for a temporary restraining order. (ECF  
8 No. 9). Also by November 17, 2021, Plaintiff's must respond to the screening order (ECF No.  
9 10), by either filing an amended complaint or notifying the Court in writing that he wants to stand  
10 on his initial complaint.  
11 IT IS SO ORDERED.

12 Dated: November 3, 2021

/s/ Eric P. Grogan  
UNITED STATES MAGISTRATE JUDGE